

## Assembly Bill No. 1350

### CHAPTER 39

An act to add and repeal Section 625.1 of the Public Utilities Code, relating to gas corporations, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 15, 2002. Filed with  
Secretary of State May 16, 2002.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1350, Canciamilla. Gas corporations: condemnation.

(1) Existing law prohibits a public utility that offers competitive services, other than a railroad corporation, a refined petroleum product common carrier pipeline corporation, or a water corporation, or an electrical company or gas corporation that needs to meet its commission-ordered obligation to serve, from condemning any property for the purpose of competing with another entity in the offering of those competitive services, unless the Public Utilities Commission finds that the condemnation would serve the public interest.

This bill would authorize, notwithstanding the above prohibition, a gas corporation to exercise the power of eminent domain to condemn any property for the purpose of competing with another entity in the offering of natural gas and services related to natural gas, but only as to property for which the gas corporation has filed a complaint in eminent domain in superior court on or before October 31, 2002. The bill would also provide that it shall become inoperative on October 31, 2002, and, as of April 1, 2003, is repealed.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

*The people of the State of California do enact as follows:*

SECTION 1. Section 625.1 is added to the Public Utilities Code, to read:

625.1. (a) Notwithstanding Section 625, a gas corporation may exercise the power of eminent domain, including, but not limited to, any authority provided by Title 7 (commencing with Section 1230.010) of Part 3 of the Code of Civil Procedure, to condemn any property for the purpose of competing with another entity in the offering of natural gas and services related to natural gas, but only as to property for which the

gas corporation has filed a complaint in eminent domain in superior court on or before October 31, 2002.

(b) This section shall become inoperative on October 31, 2002, and, as of April 1, 2003, is repealed, unless a later enacted statute that is enacted before October 31, 2002, provides to the contrary.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to immediately authorize the necessary condemnation of property by a gas corporation for the purpose of competing with another entity offering natural gas and services related to natural gas prohibited by existing law, it is necessary that this act take effect immediately.

